

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Niagara LaSalle Corporation
1412 150th Street
Hammond, Indiana 46327**

ATTENTION:

**Brian Fudacz
General Manager**

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring Niagara LaSalle Corporation (Niagara LaSalle or you) to submit certain information about the facility at **1412 150th Street, Hammond, Indiana**. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us according to the schedule in Appendix B.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

Niagara LaSalle owns and operates an emission source at the Hammond, Indiana facility. We are requesting this information to determine whether your emission source is complying with the Indiana State Implementation Plan and applicable CAA regulations.

Niagara LaSalle must send all required information to:

Attn: Compliance Tracker, AE-18J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

Niagara LaSalle must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B, for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.


We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject Niagara LaSalle to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Sarah Clark at 312 - 886-9733 or clark.sarah@epa.gov.

Date

10/30/12



Edward Nam
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and, at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or a similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*

1. The terms “document” and “documents” shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The terms “relate to” or “pertain to” (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.
3. The term “Facility” shall mean Niagara LaSalle’s cold finished steel production facility located at 1412 150th Street, Hammond, Indiana.

Appendix B

Information You Are Required to Submit to EPA

Niagara LaSalle must submit the following information pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a), for its facility located at 1412 150th Street, Hammond, Indiana (the Facility) in accordance with the schedules and requirements provided below:

1. Niagara LaSalle must submit an emission test plan, conduct emission testing and submit all other information requested in accordance with the following schedule and requirements:

Submit Testing Protocol	Within 30 calendar days of receipt of this request
Notification of Intent to Test	Not less than 21 calendar days before testing
Complete Testing	Within 30 calendar days of testing protocol approval by EPA and 90 calendar days of receipt of this request
Submit Testing Report	Within 30 calendar days of completion of testing

- a. The emission testing to be conducted by Niagara LaSalle shall include the following: test for opacity and quantify the mass emission rate of metals and particulate matter by performing inlet (only at baghouses/dust collectors/filter systems) and outlet testing using EPA Reference Methods 1 through 5, 9, and 29 (excluding analysis for mercury), at the following emission units:
 - i. Wheelabrator No. 1 (East) Shot Blasting Operation;
 - ii. Wheelabrator No. 2 (West) Shot Blasting Operation;
 - iii. No. 3 Cold Draw Line; and
 - iv. No. 7 Cold Draw Line.
- b. During the testing described in Request 1(a), Niagara LaSalle shall operate each emission unit listed in Request 1(a) at maximum production rates (greater than 95% capacity) and under representative conditions, while utilizing as feed or processing the highest lead content materials. Additionally, during this testing, the Wheelabrator Shot Blasting Operations shall utilize shot abrasive(s) at a representative rate that corresponds with the maximum production rate (greater than 95% capacity). In this context, 'lead content materials' includes, but is not limited to, metal alloys containing lead and materials that have been previously immersed in lead.
- c. During the testing described Request 1(a), Niagara LaSalle shall monitor and record the operating parameters associated with the following: each emission unit listed in Request 1(a); all ventilation systems and emission controls associated with each emission unit listed in Request 1(a); the two Molten Lead Dip Tanks; and any other associated process.

- d. Within 30 calendar days after receipt of this request, submit to EPA and Indiana Department of Environmental Management (IDEM) the proposed testing protocol. Niagara LaSalle shall submit the proposed testing protocol via e-mail to Sarah Clark at clark.sarah@epa.gov and to IDEM through Dave Cline at DCLINE@idem.IN.gov. EPA will provide approval or comments on the proposed testing protocol via e-mail. The proposed testing protocol shall contain, at a minimum, the following:
- i. Complete description of the methods and procedures for testing at each unit, including all relevant parameters;
 - ii. Description of the procedures that will be utilized to minimize unmeasured emissions;
 - iii. Description of how operating parameters will be monitored and recorded to demonstrate that the emission units were operated at maximum production rates and with the highest lead content materials during the tests;
 - iv. Proposed production rate and material lead content to be used during emission testing for each emission unit listed in Request 1(a), the two Molten Lead Dip Tanks, and any other associated process;
 - v. Maximum and average production rates and material lead content associated with each emission unit listed in Request 1(a), the two Molten Lead Dip Tanks, and any other associated process; and
 - vi. All other information needed to fully address the requirements of Requests 1(a)-1(c) of this information request.
- e. At least 21 calendar days prior to the planned tests, Niagara LaSalle shall submit notification to EPA and IDEM of the intent to perform emission testing. Niagara LaSalle shall submit this notice via e-mail to Sarah Clark at clark.sarah@epa.gov and to IDEM through Dave Cline at DCLINE@idem.IN.gov.
- f. Within 30 calendar days of receiving testing protocol approval by EPA and 90 calendar days of receipt of this request, Niagara LaSalle shall conduct the emission testing, in accordance with the requirements of Requests 1(a)-1(c), under the final testing protocol approved in advance by EPA in accordance with Request 1(d).
- g. Within 30 calendar days after completion of the emission tests conducted pursuant to Request 1(f), Niagara LaSalle shall submit a complete report of the emission testing, including, at a minimum, the following:
- i. Summary of Results
 1. Results of the above specified emission tests;
 2. Process and control equipment data recorded during the test, including, but not limited to, the pressure drop across the baghouse and the temperature and process rate of the two Molten Lead Dip Tanks;
 3. Discussion of any errors that occurred during testing;
 4. Discussion of any deviations from the reference test methods and of any other problems encountered during the test;

5. Lead content of the material(s) processed, used, and/or held in each emission unit listed in Request 1(a), the Two Molten Lead Dip Tanks, and any other associated processes; and
 6. Data on the production rate during testing for each emission unit listed in Request 1(a), the Two Molten Lead Dip Tanks, and any other associated processes.
- ii. Facility Operations
1. Description of the process and control equipment in operation during the tests;
 2. Operating parameters of all control and related equipment in operation during the tests; and
 3. Facility operating parameters and data, including an explanation of how the operating parameters demonstrate that the process units were operated at maximum production rates during the tests.
- iii. Sampling and Analytical Procedures
1. Sampling port location(s) and dimensions of cross-section;
 2. Sampling point description, including labeling system;
 3. Brief description of sampling procedures, including equipment and diagram;
 4. Description of sampling procedures (planned and accidental) that deviated from any standard method;
 5. Brief description of analytical procedures, including calibration;
 6. Description of analytical procedures (planned or accidental) that deviated from any standard method; and
 7. Quality control/ quality assurance procedures, tests and results.
- iv. Appendix
1. For each emission unit listed in Request 1(a), the two Molten Lead Dip Tanks, and any other associated process, copies of all safety data sheet(s) and technical data sheets associated with all materials processed, used, and/or held during testing, including, but not limited to, all alloys, coatings, lubricants, and shot abrasives.
 2. Complete results with example calculations;
 3. Raw field data (original, not computer printouts);
 4. Laboratory report, with signed chain-of-custody forms;
 5. Calibration procedures and results;
 6. Raw process and control equipment data, signed by plant representative;
 7. Test log;
 8. Project participants and titles; and
 9. Related correspondence.

2. For the Wheelabrator No. 1 (East) Shot Blasting Operation, the Wheelabrator No. 2 (West) Shot Blasting Operation, No. 3 Cold Draw Line, No. 7 Cold Draw Line, and the two Molten Lead Dip Tanks, for the period from June 1, 2016 to the date of receipt of this request, provide, in an **unlocked, electronic Excel-compatible spreadsheet**, within 30 calendar days of receipt of this request, production logs for each unit that include, at a minimum, the following information on a per batch basis for each batch process or a per day basis for each continuous process:
 - a. Operating hours;
 - b. Identification (*e.g.*, alloy grade) and mass of each feed material;
 - c. Production rate;
 - d. Shot usage (for Wheelabrator No. 1 and No 2 only);
 - e. Shot flow rate (for Wheelabrator No. 1 and No 2 only);
 - f. Associated operating parameters (*e.g.*, tank temperature); and
 - g. Identification of each batch or day when feed materials had previously been immersed in lead.

Within 60 calendar days after receipt of this request, submit the following information in response to Requests 3-16 below:

3. Provide a copy of all permit applications submitted to IDEM for the Facility from November 1, 2008, to the date of receipt of this request.
4. Provide a copy of all reports related to CAA compliance submitted to IDEM or EPA from November 1, 2013, to the date of receipt of this request, including Minor Source Operating Permit (MSOP) Annual Notification, Malfunction Reports, quarterly reports, and emissions reports.
5. Provide a copy of all current Preventative Maintenance Plans (PMPs) maintained pursuant to the Facility MSOP (Permit No. 089-38175-00220). Include all previous revisions from November 1, 2013 to the date of receipt of this request, the corresponding date for each revision, and a summary of the changes made in each revision that indicates which changes were required by IDEM.
6. In an **unlocked, electronic Excel-compatible spreadsheet**, list, with descriptions, all process units including, but not limited to, any process tanks, draw lines, and shot blasting operations at the Facility that have operated for any length of time from November 1, 2013 to the date of receipt of this request. For each unit, identify whether the unit is included on the Facility MSOP. Identify each unit that has been permanently removed from service with a date and a description of when and how the unit was removed. Identify each unit that processes, uses, or holds lead-containing or lead-immersed materials and/or alloys.
7. In an **unlocked, electronic Excel-compatible spreadsheet**, provide a copy of all calculations, with detailed explanations, used to develop your Toxic Release Inventory reports from November 1, 2013 to the date of receipt of this request. Identify all sources of

lead, including lead compounds, and manganese, including manganese compounds, with supporting documentation.

8. Provide in an **unlocked, electronic Excel-compatible spreadsheet** all feed materials (*e.g.*, alloys) processed at one or more of the process units listed in Request 2, from November 1, 2013 to the date of receipt of this request. For each feed material, include the name(s) and address(es) of the manufacturer(s) and/or supplier(s) and the elemental composition, including lead content, of the feed material.
9. Provide in an **unlocked, electronic Excel-compatible spreadsheet** the total operating hours, the total mass of each feed material processed, the average production rate, and the total shot usage (for Wheelabrator No. 1 and No 2 only) on a per month basis for each of the process units listed in Request 2, for the period from November 1, 2013 to the date of receipt of this request.
10. Provide a list of all emissions tests and copies of the full test report for all associated emissions tests conducted at the Facility for any reason from November 1, 2013 to the date of receipt of this request. Emission testing includes, but is not limited to, compliance testing, engineering testing, and testing for general information. You need not provide copies of the test report previously submitted to EPA on January 15, 2018, for the test conducted on November 26, 2013 for the Wheelabrator Shot Blasting Operations (November 2013 Emission Test); however, provide all supplemental information necessary to complete the report, such as the shot abrasive rate, in pounds per hour per Wheelabrator Shot Blasting Operation, used during each test. For each emission test, indicate whether the report was shared with IDEM.
11. Provide the following information and records for each Molten Lead Dip Tank from November 1, 2013 to the date of receipt of this request; for at least (a), (c), (d), and (g) below, provide the information in an **unlocked electronic Excel-compatible spreadsheet**:
 - a. All tank dimensions, including length, width, height, capacity, surface area of exposed melt, and the position, dimensions, and curvature of the heat shield(s) over the tank;
 - b. Copies of the safety data sheet(s) and technical data sheet(s), including the elemental composition, of all materials added/melted (*e.g.*, lead) to one or more Molten Lead Dip Tank;
 - c. Mass of material purchased by month;
 - d. Mass of material collected for removal by month;
 - e. Copies of material purchase records;
 - f. Copies of material removal records (*e.g.*, dross skimming and collection);
 - g. Dates that materials were collected and the mass of material collected on each date;
 - h. Narrative explaining how materials are collected for removal/disposal; and
 - i. Name(s) of all third parties involved with material collection.

12. Provide the following information for the Wheelabrator No. 1 (East) Shot Blasting Operation, the Wheelabrator No. 2 (West) Shot Blasting Operation, and the associated dust collector:
- a. Provide a narrative that describes how and at what frequency the process weight rate and the shot abrasive flow rate are monitored and/or calculated.
 - b. Provide all records, from June 1, 2016 to the date of receipt of this request, and that were not previously provided in response to Request 4, of pressure drop readings, visible emission readings, malfunctions, excursions or exceedances, and responses to excursions or exceedances; where electronic records are maintained, provide these in an **unlocked, electronic Excel-compatible spreadsheet**;
 - c. Provide all records and a table summarizing the dates and actions taken, from November 1, 2013 to the date of receipt of this request, related to calibration and/or replacement of the instrument(s) used for determining pressure across the dust collector; and
 - d. Provide all records for the most current manufacturers' guidance documents and/or operating manuals, including, but not limited to, the manufacturer's written specifications and recommendations for the unit's operation, the unit's maintenance, and the capture/collection of air emissions.
13. Provide copies of all data and reports of air monitoring for particulates, lead, and/or lead compounds conducted on Facility property for any reason, including but not limited to, compliance with OSHA regulations, from November 1, 2013 to the date of receipt of this request. Specify the contaminants that were monitored, the method(s) through which data was collected and analyzed, the exact location where monitoring occurred, and the dates and duration of the monitoring.
14. Provide the date of installation for the No. 3 and No. 7 Cold Draw Lines, the two Molten Lead Dip Tanks, and any associated air intake system(s) and/or air emission control(s).
15. Provide a current plant layout (to scale) and current engineering schematics of the Facility that detail the following spaces: (i) the bay containing the No. 3 and No. 7 Cold Draw Lines, and (ii) the adjoining bay(s) that house the Molten Lead Dip Tanks. The latter space shall span North/South from 150th Street to the No. 3 and No. 7 Cold Draw Line operator areas and span sufficiently East/West to include the closest truck entrances located on either side of the Molten Lead Dip Tanks. Within the spaces specified, at a minimum, the layout and/or schematics should include the ceiling heights, the unit positions (including height above ground level), and the unit dimensions (e.g., length, width, height, face or opening area) for each of the following units contained therein:
- a. All process units;
 - b. All natural gas heaters;

- c. All air systems including all ceiling vents, fresh air intake(s), exhaust hoods/vents, doors, and windows;
 - d. All significant obstructions to airflow (e.g., walls, heat shields, piles of alloy) with labels and descriptions.
16. Provide all current air flow models or estimates, fan curves, engineering specifications, flow rates, capacities, and related information for the following: the ceiling vents positioned overhead of the two Molten Lead Dip Tanks; the fresh air intake(s) positioned over the operator areas for the No. 3 and No. 7 Cold Draw Lines; the exhaust hoods/vents positioned over the No. 3 and No. 7 Cold Draw Lines; and all additional air systems identified in response to Request 15(c).

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the information request as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information Is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show: that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential by page, paragraph and sentence. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, *e.g.*, until a certain date, until the occurrence of a special event or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. *Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?*

If you receive a request for a substantiation letter from the EPA, you bear the burden of substantiating your confidentiality claim. Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

Office of Small and Disadvantaged Business Utilization (OSDBU)

www.epa.gov/aboutepa/about-office-small-and-disadvantaged-business-utilization-osdbu

EPA's OSDBU advocates and advances business, regulatory, and environmental compliance concerns of small and socio-economically disadvantaged businesses.

EPA's Asbestos Small Business Ombudsman (ASBO)

www.epa.gov/resources-small-businesses/asbestos-small-business-ombudsman or 1-800-368-5888

The EPA ASBO serves as a conduit for small businesses to access EPA and facilitates communications between the small business community and the Agency.

Small Business Environmental Assistance Program

<https://nationalsbeap.org>

This program provides a "one-stop shop" for small businesses and assistance providers seeking information on a wide range of environmental topics and state-specific environmental compliance assistance resources.

EPA's Compliance Assistance Homepage

www.epa.gov/compliance

This page is a gateway to industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

Compliance Assistance Centers

www.complianceassistance.net

EPA sponsored Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture

www.epa.gov/agriculture

Automotive Recycling

www.ecarcenter.org

Automotive Service and Repair

www.ccar-greenlink.org or 1-888-GRN-LINK

Chemical Manufacturing

www.chemalliance.org

Construction

www.cicacenter.org

Education

www.campuserc.org

Food Processing

www.fpeac.org

Healthcare

www.hercenter.org

Local Government

www.lgean.org

Surface Finishing

<http://www.sterc.org>

Paints and Coatings

www.paintcenter.org

Printing

www.pneac.org

Ports

www.portcompliance.org

Transportation

www.tercenter.org

U.S. Border Compliance and Import/Export Issues

www.bordercenter.org

EPA Hotlines and Clearinghouses

www.epa.gov/home/epa-hotlines

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Examples include:

Clean Air Technology Center (CATC) Info-line

www.epa.gov/catc or 1-919-541-0800

Superfund, TRI, EPCRA, RMP, and Oil Information Center

1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline

www.epa.gov/otaq/imports or 1-734-214-4100

National Pesticide Information Center

www.npic.orst.edu or 1-800-858-7378

National Response Center Hotline to report oil and hazardous substance spills - <http://nrc.uscg.mil> or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC) -

www.epa.gov/p2/pollution-prevention-resources#ppic or 1-202-566-0799

Safe Drinking Water Hotline -

www.epa.gov/ground-water-and-drinking-water/safe-drinking-water-hotline or 1-800-426-4791

Toxic Substances Control Act (TSCA) Hotline

tsc hotline@epa.gov or 1-202-554-1404

Small Entity Compliance Guides

<https://www.epa.gov/reg-flex/small-entity-compliance-guides>

EPA publishes a Small Entity Compliance Guide (SECG) for every rule for which the Agency has prepared a final regulatory flexibility analysis, in accordance with Section 14 of the Regulatory Flexibility Act (RFA).

Regional Small Business Liaisons

www.epa.gov/resources-small-businesses/epa-regional-office-small-business-liaisons

The U.S. Environmental Protection Agency (EPA) Regional Small Business Liaison (RSBL) is the primary regional contact and often the expert on small business assistance, advocacy, and outreach. The RSBL is the regional voice for the EPA Asbestos and Small Business Ombudsman (ASBO).

State Resource Locators

www.envcap.org/statetools

State Locators provide state-specific contacts, regulations and sources covering the major environmental laws.

State Small Business Environmental Assistance Programs (SBEAPs)

<https://nationalsbeap.org/states/list>

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits.

EPA's Tribal Portal

www.epa.gov/tribalportal

The Portal helps users locate tribal-related information within EPA and other federal agencies.

EPA Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has such policies that may apply to small businesses:

EPA's Small Business Compliance Policy

www.epa.gov/enforcement/small-businesses-and-enforcement

EPA's Audit Policy

www.epa.gov/compliance/epas-audit-policy

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a SBREFA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.

CERTIFICATE OF MAILING

I certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by

Certified Mail, Return Receipt Requested, to:

Brian Fudacz
Niagara LaSalle Corporation
1412 150th Street
Hammond, Indiana 46327

I also certify that I sent a copy of the Request to Provide Information Pursuant to the

Clean Air Act by E-mail to:

Phil Perry
Chief, Air Compliance Branch
Office of Air Quality
Indiana Department of Environmental
PPERRY@idem.IN.gov

On the 1st day of November 2018.

Kathy Jones

Kathy Jones, Program Technician
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7017 0530 0000 6289 1900